

Joint Standing Committee on Transportation

LD 59 **An Act to Repeal the Sensible Transportation Policy Act** ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEGLEY	ONTP MAJ	
CAMPBELL	OTP-AM MIN	

LD 59 proposed to repeal the Sensible Transportation Policy Act, which requires the Department of Transportation, when making planning, capital investment and project decisions, to consider and comply with certain environmental and policy considerations and to establish a procedure for public participation.

Committee Amendment 'A' (S-439) was the minority report. The amendment updated language in the original bill that was amended by Public Law 1995, chapter 341. It also proposed to repeal additional sections of law that cross-reference the Sensible Transportation Policy Act. The minority report was not accepted.

LD 465 **An Act to Improve the Local Road Assistance Program** PUBLIC 678

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROWE	OTP-AM	H-684

LD 465 proposed to amend the definition of "average miles maintained," which is used to determine state contributions for the Local Road Assistance Program. It proposed requiring an increase in the number of miles for each mile of road with more than 2 lanes. It specified that the additional funding for the wider roads must come from additional appropriations to the Local Road Assistance Program.

Committee Amendment "A" (H-684) proposed use of the term "lane mile" to clarify the extent to which distribution would increase for roads with more than 2 lanes and changed the formula to calculate distribution on a lane mile basis. It proposed that the change in distribution begin with payments due March 1, 1997.

Enacted law summary

Public Law 1995, chapter 678 provides for distribution from the Local Road Assistance Program to be calculated on a lane mile basis, thereby increasing the distribution for roads with more than 2 lanes. The change in distribution begins with payments due March 1, 1997.

LD 739 **An Act to Allow Issuance of Duplicate Registrations for Trailers and Semitrailers** PUBLIC 513

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STONE	OTP-AM	H-687

LD 739 proposed allowing businesses that hold current certificates of registration on 4 or more trailers or semitrailers to keep the original certificates in a central location and requiring

businesses that use this provision to keep a photocopy of the certificate of registration in each vehicle.

Committee Amendment "A" (~~H~~87) replaced the original bill. It proposed allowing a person registering a trailer or semitrailer to be issued a duplicate registration for an additional \$2 fee. It also proposed adding a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 513 allows a person registering a trailer or semitrailer to be issued a duplicate registration for an additional \$2 fee.

**LD 1619 An Act to Repeal the Sunset Provision for Distribution from the Maine Environmental Trust Fund PUBLIC 508
EMERGENCY**

Sponsor(s) Committee Report Amendments Adopted

LD 1619 was reported out pursuant to Public Law 1993, chapter 410, Part BBB, section 6.

Enacted law summary

Public Law 1995, chapter 508 repeals the sunset provision for distribution from the Maine Environmental Trust Fund, providing for continuing distribution from the fund at 60% to the Maine State Parks Fund and 40% to the Maine Endangered and Nongame Wildlife Fund..

Chapter 508 was enacted as an emergency measure effective January 29, 1996.

**LD 1639 An Act to Amend Certain Motor Vehicle Laws Including Those Affecting the University of Maine System Plate and the Certificate of Lien PUBLIC 645
EMERGENCY**

Sponsor(s) Committee Report Amendments Adopted
STROUT OTP-AM H-847
STEVENS A H-852
 H-854
 H-895

LD 1639 proposed several technical and substantive changes to the motor vehicle laws.

Committee Amendment "A" (~~H~~47) proposed technical changes to the original bill and proposed removing provisions relating to primary insurance requirements for consumer rental vehicles. It proposed adding Parts B, C, D and E to the bill . Part B proposed several additional technical and substantive changes to the motor vehicle laws. Part C proposed provisions for a new general issue license plate in July of 1999. Parts D and E proposed allocation sections for the bill.

House Amendment "A" to Committee Amendment "A" (~~H~~52) proposed allowing the Secretary of State to hold as confidential the driver's license and vehicle registration records at the request of a person providing a copy of a protection order issued to protect the requestor from abuse or harassment.

House Amendment "B" to Committee Amendment "A" (H54) proposed the issuance of official state nondriver identification cards to persons 15, 16 and 17 years of age beginning July 1, 1996.

House Amendment "C" to Committee Amendment "A" (H55) proposed changing the appointment process for members of the task force on the production and issuance of license plates. Instead of the Chairs of the Joint Standing Committee on Transportation appointing the members, it proposed giving the authority to House and Senate leadership.

Enacted law summary

Public Law 1995, chapter 645, Part A makes the fees associated with the University of Maine System plates consistent with the conservation registration plate fees. It repeals language that allowed a registrant to retain an existing plate number for use on an antique vehicle. It also repeals the requirement that persons with a disability have their name on the registration placard.

It allows the Secretary of State to eliminate the certificate of lien document and allows the certificate of title to act as both prima facie evidence of ownership and documentation for lien purposes. It requires a salvage vehicle repaired by the use of a front or rear clip to be designated as a rebuilt salvage on the certificate of title. It increases the amount of liability insurance that dealers must carry to maintain dealer plates.

It requires a licensee's signature to be the same as the name displayed on the license. It corrects the reference to the designation on a driver's license for special endorsement.

Part B of the enacted law does the following.

It allows the Secretary of State to develop a program for appointment of registration agents to issue registrations that do not involve excise tax and registrations for which the excise tax has already been paid.

It allows the Secretary of State to hold certain driver's license and vehicle registration records as confidential. It amends the information required on the registration application, specifying that a person's legal name be used on an application, that the year of manufacture be included and that only the initial registration application requires the signature of the owner or owner's legal representative. It permits persons to notify the Secretary of State of name and address changes by means other than by writing. It allows the issuance of official state nondriver identification cards to persons 15-17 years of age.

It allows the Secretary of State to establish a multiyear fleet registration program for registrants with 100 or more registrations. It allows an extension of a long-term trailer registration prior to the registration's expiration. It requires that a vehicle being added to a fleet with a common expiration date receive a prorated excise tax for the actual number of months in the registration.

It allows for the issuance of the Purple Heart recipient's special plate to the recipient's surviving spouse. It makes the addition or attachment of an unauthorized symbol or mark to a registration plate a civil violation.

It allows the State Tax Assessor to delegate certain responsibilities relating to the motor carrier fuel tax to the Bureau of Motor Vehicles. It makes clear that transporter plates may be issued to auction businesses for the purpose of transporting vehicles to and from the auction site.

It makes consistent and corrects omissions in the OUI laws as amended in the First Regular Session of the 117th Legislature. It corrects an omission in the definition of habitual offender.

Part C of the enacted law does the following.

It provides for a new general issue of registration plates to begin on July 1, 1999 and be completed by December 31, 2000. It repeals language designating the lobster design as the general issue plate design on July 1, 1999 and allows the Secretary of State to purchase a specialty plate rather than produce the plate at the Maine State Prison when the demand for that plate is low. It increases the fee for reserving license plate numbers effective July 1, 1996. Effective July 1, 1996, it increases motor vehicle registration fees by \$1 to cover equipment costs and other costs associated with a new general issue license plate.

It establishes a program within the Highway Fund to receive \$1 of each registration fee to be used for expenses relating to the production and issuance of license plates. It establishes a moratorium on the issuance of new specialty license plates until July 1, 1999. It creates a task force to study the production and issuance of license plates.

Chapter 645 was enacted as an emergency measure effective April 10, 1996.

**LD 1676 An Act to Implement the Recommendations of the
Registration Improvement Committee**

ONTP

Sponsor(s)
O'GARA

Committee Report
ONTP

Amendments Adopted

LD 1676 proposed to enact the recommendations of the Secretary of State's Registration Improvement Committee. It would have allowed the Secretary of state to appoint nongovernmental entities as registration agents and to implement a remote registration transactions program. It would have required the State Tax Assessor to certify software for the electronic calculation of motor vehicle excise tax. It would have allowed the Secretary of State and the Superintendent of Insurance to develop an alternate means of verifying motor vehicle liability insurance. It would have allowed the Secretary of State and nongovernmental registration agents to collect motor vehicle excise tax and required the Bureau of Motor Vehicles to transmit collected excise taxes to the appropriate municipality.

This bill proposed an optional multi-year fleet registration for registrants with 100 or more registrations. It proposed to require that excise tax be prorated for a vehicle added to a fleet with a common expiration date. Certain provisions of this legislation were enacted in Part B of P.L. 1995, c. 645. (see Bill Summary for LD 1639)

**LD 1680 An Act Concerning Portable Scale Tolerances on the
Interstate Highway System**

PUBLIC 517

Sponsor(s)
O'GARA

Committee Report
OTP-AM

Amendments Adopted
H-695

LD 1680 proposed allowing vehicles traveling on the Interstate Highway System a 4% tolerance on gross and axle weight limits if the vehicle was weighed by portable scales.

Committee Amendment "A" (H-695) proposed adding a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 517 allows vehicles traveling on the Interstate Highway System a 4% tolerance on gross and axle weight limits if the vehicle is weighed by portable scales. This is consistent with federal regulations.

LD 1681 An Act Pertaining to the Northern New England Passenger Rail Authority PUBLIC 543

Sponsor(s)
O'GARA

Committee Report
OTP

Amendments Adopted
S-445

LD 1681 proposed to clarify and to correct certain provisions of the Northern New England Passenger Rail Authority's enabling act.

Senate Amendment "A" (S445) proposed to remove the language in the original bill that stated the Northern New England Passenger Rail Authority's rulemaking authority is not "rulemaking" and is not subject to supervision by any board, commission or agency.

Enacted law summary

Public Law 1995, chapter 543 clarifies that the Northern New England Passenger Rail Authority is an authority within the meaning of the Maine Tort Claims Act. It removes the December 31, 1995 time frame for initiation of service between Boston and Portland. It clarifies that the quorum requirements for a meeting of the authority's board of directors are calculated on the basis of the number of director positions currently occupied.

LD 1682 An Act to Transfer the Responsibility for Air Search and Rescue from the Commissioner of Transportation to the Chief of the State Police PUBLIC 555

Sponsor(s)
STROUT

Committee Report
OTP-AM

Amendments Adopted
H-740

LD 1682 proposed to transfer responsibility for air search and rescue from the Commissioner of Transportation to the Chief of the State Police.

Committee Amendment "A" (H740) proposed allowing the air search and rescue plan developed by the Chief of State Police to determine the notification system for and to specify the role of various agencies in air search and rescue operations.

Enacted law summary

Public Law 1995, chapter 555 transfers responsibility for air search and rescue from the Commissioner of Transportation to the Chief of the State Police and allows the plan developed by the Chief to specify the role of various agencies in air search and rescue operations.

Sponsor(s)
STEVENS A

Committee Report
OTP-AM

Amendments Adopted
S-454

LD 1687 submitted by the Department of Public Safety proposed several clarifications of and changes to the motor vehicle laws.

Committee Amendment "A" (S454) proposed a Part A to include and amend provisions in the original bill and a Part B that proposed additional clarifications and changes. The amendment also proposed adding a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 584 , Part A does the following:

Clarifies that a pickup truck must be registered as a truck if the combined gross weight of the pickup truck plus a towed trailer or semitrailer exceeds 6,000 pounds and that the fee schedule currently applicable to a truck tractor and semitrailer is also applicable to a truck and semitrailer. Clarifies that a truck registered for more than 6,000 pounds must have splash guards.

Corrects an error regarding inspection of a motor vehicle that was previously registered in another state. Requires vehicles to be equipped with turn signals.

Deletes references to public scales for weighing vehicles and allows a designee of the Chief of the State Police to establish weigh points.

Makes it clear that the gross vehicle and axle weight forgivenesses are not intended to increase allowable gross vehicle and axle weights. Clarifies that a Violation Summons and Complaint is not issued for minor weight violations.

Part B does the following:

Amends the definition of "law enforcement officer" to include officers and special investigators of the Bureau of Taxation.

Makes consistent the penalty provisions for traffic infractions. Clarifies the penalties that apply to a person establishing residency who violates the licensing or registration requirements of the State.

Allows a person's Maine license to be expired for 90 days before the violation becomes a Class E crime.

Allows a law enforcement officer to use video equipment in a motor vehicle for law enforcement purposes.

Corrects an ambiguity in the penalty for speeding on the Maine Turnpike or the Interstate Highway System.

Exempts operators of all-terrain vehicles from the licensing requirements of the Maine Revised Statutes, Title 29-A unless the ATV is registered for highway use.

LD 1690 An Act Relating to the Potential Improvement of the Maine Turnpike Authority ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BUTLAND	ONTP MAJ OTP-AM MIN	

LD 1690 proposed to increase the amount of bonds the Maine Turnpike Authority may issue in connection with a widening of the turnpike from Exit 1 to Exit 4A, if all or a portion of a project is approved. The bill also proposed to clarify the Maine Turnpike Authority's obligations for transportation planning that pertain to such a project.

Committee Amendment "A" (S443) proposed a minority report. It proposed to direct the Maine Turnpike Authority to proceed with all actions necessary to widen the turnpike from Exit 1 to Exit 6-A upon meeting the requirements of the Sensible Transportation Policy Act defined in the Maine Revised Statutes, Title 23, section 196A and upon approval of the widening by the voters in a statewide referendum. The minority report was not accepted.

LD 1734 An Act to Amend the Commercial Vehicle Weight Laws PUBLIC 546

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEVENS A	OTP-AM	S-438

LD 1734 proposed amending the penalties for weight violations. When a vehicle is in violation of both gross and axle weight Interstate Highway limits, a minimum fine of \$20 each would be imposed for each violation of Interstate Highway weight limits, in addition to the fine for the highest applicable penalty. It proposed allowing the Secretary of State to suspend the registration or right to operate vehicles having 5 or more aggravated gross weight violations within a 24-month period or 7 or more such violations within a 36-month period.

Committee Amendment "A" (S438) proposed a technical correction and adding a fiscal note to the bill.

Enacted law summary

Public Law 1995, chapter 546 amends the penalties for weight violations on the interstate highway making the penalties consistent with federal regulations. It allows the Secretary of State to suspend the registration or right to operate vehicles having 5 or more aggravated gross weight violations within a 24-month period or 7 or more such violations within a 36-month period.

LD 1740 An Act to Exempt Working Rural Mail Carriers from the Seat Belt Law PUBLIC 597

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEDMAN	OTP-AM	H-747 H-758

LD 1740 proposed to exempt rural mail carriers of the United States Postal Service from wearing safety seatbelts while engaged in the delivery of mail.

Committee Amendment "A" (H/47) proposed to exempt taxi drivers from the responsibility of having paying passengers use a seatbelt. It proposed amending the language in the original bill to clarify that the rural postal carrier is exempt from the seatbelt provision requiring the operator of a motor vehicle to be buckled.

House Amendment "A" to Committee Amendment "A" (H/58) proposed amending the seatbelt law to make it a primary violation if a person age 4 through 18 years of age is not secured in a seat belt.

Enacted law summary

Public Law 1995, chapter 597 exempts rural postal carriers from the seat belt provision requiring the operator of a motor vehicle to be buckled. It exempts taxi drivers from the responsibility of having paying passengers use a seat belt. It allows primary enforcement of the seatbelt law for persons age 4 through 18.

LD 1782 An Act to Create the Motor Carrier Training Advisory Board PUBLIC 605

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-748 H-807

LD 1782 proposed creation of the Motor Carrier Training Advisory Board to advise the Secretary of State on matters relating to advanced commercial driver training and continuing education. The bill also proposed adding a member to the Secretary of State's driver education technical review panel to represent the motor carrier industry.

Committee Amendment "A" (H/48) proposed establishing the Motor Carrier Training Advisory Board within the Department of the Secretary of State rather than the Department of Transportation. It proposed altering the board's membership to include a commercial driver, an additional member of the public, and a member of the joint standing committee of the Legislature having jurisdiction over transportation matters. It proposed changing the term served from 2 years to 3 years for each member and staggering initial terms.

House Amendment "A" to Committee Amendment "A" (H/7) proposed that the member of the Motor Carrier Training Advisory Board who is a member of the joint standing committee of the Legislature having jurisdiction over transportation matters be appointed jointly by the President of the Senate and the Speaker of the House of Representatives rather than by the chairs of that committee.

Enacted law summary

Public Law 1995, chapter 605 creates the Motor Carrier Training Advisory Board within the Department of the Secretary of State and adds a member representing the motor carrier industry to the Secretary of State's driver education technical review panel.

LD 1815 An Act to Make Allocations from Maine Turnpike Authority Funds for the Maine Turnpike Authority for the Fiscal Year Ending December 31, 1997 P & S 73

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-846

LD 1815 proposed allocations from gross revenues of the Maine Turnpike Authority for the authority's fiscal year ending December 31, 1997.

Committee Amendment "A" (H846) proposed providing supplementary information related to the Maine Turnpike Authority's 1997 budget and adds a fiscal note to the bill.

Enacted law summary

Private and Special Law 1995, chapter 73 makes allocations from gross revenues of the Maine Turnpike Authority for the authority's fiscal year ending December 31, 1997. It provides supplemental information on capital expenditures and debt service on bonds.

LD 1826 An Act to Allow a Change in the Speed Limit on Certain Highways ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'DEA	ONTP	

LD 1826 proposed repealing the maximum speed limits in statute of 65 m.p.h. on the interstate and other divided controlled-access highways and 60 m.p.h. on other highways. The bill proposed requiring a person to operate a vehicle at a reasonable and prudent speed. The bill proposed allowing the Commissioner of Transportation, with the approval of the Chief of the State Police, to impose a maximum speed limit in those areas determined dangerous based upon an engineering and traffic investigation.

LD 1829 Resolve, to Name a Portion of Highway in Millinocket in Honor of Prisoners of War and Those Designated as Missing in Action and to Name Portions of Roads That Follow the St. George River RESOLVE 73
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK	OTP-AM	H-788
STEVENS A		H-851

LD 1829 proposed designating part of Route 157 in Millinocket as a "POWIA Highway."

Committee Amendment "A" (H788) proposed clarifying that plaques designating this portion of highway as a "POWMIA Highway" will be designed and created by the local Marine Corps League.

House Amendment "A" to Committee Amendment "A" (~~H~~51) proposed changing the title of the bill and adds a section to the resolve to designate the route from the Town of Port Clyde to the Town of Montville as the "Georges River Scenic Byway."

Enacted law summary

Resolve 1995, chapter 73 designates a portion of Route 157 in Millinocket as a POW-MIA Highway and names a specified route from Montville to Port Clyde as the Georges River Scenic Byway.

Chapter 73 was enacted as an emergency measure effective April 3, 1996

**LD 1830 An Act to Make Supplemental Allocations from the Highway Fund, Allocations from Other Funds and a General Fund Appropriation and to Amend Certain Transportation Laws P & S 83
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STROUT	OTP-AM	H-848

LD 1830 proposed supplemental allocations from the Highway Fund and other special revenue funds and proposed authorizing the unencumbered balance in the Highway Fund salary plan account from fiscal year 1994-95 to lapse to the Highway Fund.

Committee Amendment "A" (~~H~~48) proposed directing the Department of Transportation to develop a plan for the transition of responsibilities for operation of the Augusta State Airport to the City of Augusta. It also proposed a General Fund appropriation and a Highway Fund allocation to the State Police to fund the addition of a DNA wing to the state crime lab and proposed adding a fiscal note to the bill.

Enacted law summary

Private and Special Law 1995, chapter 83, Part A makes supplemental allocations from the Highway Fund, the Federal Expenditure Fund and the Other Special Revenue funds. Part B authorizes the unencumbered balance in the Highway Fund salary plan account from fiscal year 1994-95 to lapse to the Highway Fund. Part C directs the Department of Transportation to develop a plan for the transition of responsibilities for operation of the Augusta State Airport to the City of Augusta. Part D provides a General Fund appropriation and a Highway Fund allocation to the State Police to fund the addition of a DNA wing to the state crime lab.

Chapter 83 was enacted as an emergency measure effective April 11, 1996

LD 1836 An Act Requiring Qualified Investigation of Certain Truck-related and Busrelated Fatalities ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMKE	ONTP	

LD 1836 proposed to require that investigators from the Maine State Police accident reconstruction program and the commercial vehicle enforcement unit investigate fatal accidents involving a truck that weighs 10,000 pounds or more or a bus. It proposed to require that a

prosecution arising out of such an investigation be conducted by the Office of the Attorney General. The bill also proposed to specify that investigators may travel out of state when necessary in the course of an investigation.

LD 1864 An Act to Facilitate the Implementation of a Logo Sign Program on the Interstate

PUBLIC 663

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-849
	OTP-AM MIN	

LD 1864 was reported out pursuant to a joint order. The bill proposed to amend the provisions for a logo signing program on the interstate to facilitate implementation of the program.

Committee Amendment "A" (H849) proposed the majority report of the Joint Standing Committee on Transportation. It proposed additional provisions to clarify and facilitate the implementation of a logo sign program. It also proposed adding a fiscal note to the bill. This amendment was adopted.

Committee Amendment "B" (H850) proposed the minority report of the Joint Standing Committee on Transportation. It would have repealed authorization for a logo sign program on the interstate. This amendment was not adopted.

Enacted law summary

Public Law 1995, chapter 663 restricts logo signs on the interstate highway to areas of the interstate that are rural in character. It allows logo signs only for businesses providing gas, food, lodging and camping. It requires a separate logo sign be installed for a particular type of service if 3 or more qualified businesses are located at an exit. It clarifies that logos for more than one type of service may be displayed on a logo sign. It specifies when more than one logo sign is allowed per exit and prohibits more than 4 signs per exit

LD 1871 An Act to Amend the Maine Turnpike Authority's Budget for Calendar Year 1996, to Clarify the Maine Turnpike Authority's Budget Process and to Facilitate the Evaluation of Automated Toll Collection

PUBLIC 613
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEVENS A	OTP-AM	S-519
		S-523

LD 1871 proposed allocation of additional turnpike revenues to pay for unbudgeted expenses caused by the delayed completion of the Maine Turnpike Authority's toll conversion project and the associated delay in the authority's planned reductions in the work force.

Committee Amendment "A" (S519) proposed to clarify that legislative approval is not required for capital expenditures by the Maine Turnpike Authority or for expenditures necessary to satisfy requirements of bond resolutions. This amendment also proposed to remove the requirement that the turnpike convert to an automated toll collection system prior to completing its alternatives evaluation.

Senate Amendment "A" to Committee Amendment "A" (S23) proposed to correct a typographical error.

Enacted law summary

Public Law 1995, chapter 613 allocates additional turnpike revenues to pay for unbudgeted expenses caused by the delayed completion of the Maine Turnpike Authority's toll conversion project. It clarifies that legislative approval is not required for capital expenditures by the Maine Turnpike Authority or for expenditures necessary to satisfy requirements of bond resolutions. Legislative approval is required for the authority's operating budget. It removes the requirement that the turnpike convert to an automated toll collection system prior to completing its alternatives evaluation.

Chapter 613 was enacted as an emergency measure effective April 3, 1996.